

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:16-CR-374 JAR
	)	
ROLAND HOEFFENER,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the March 12, 2018 Report and Recommendation (Doc. No. 93) and the May 9, 2018 Report and Recommendation (Doc. No. 101) of United States Magistrate Judge Patricia L. Cohen.

On April 7, 2017, Defendant Hoeffener filed a Motion to Suppress Statements, Admissions and Confessions (Doc. No. 28) and a Motion to Suppress Evidence and Request for a Hearing Pursuant to Franks v. Delaware (Doc. No. 29). Pursuant to 28 U.S.C. § 636(b), the matter was referred to United States Magistrate Judge Patricia L. Cohen. Judge Cohen held evidentiary hearings on Defendant's motions. (Doc. Nos. 41, 74, 75) After considering all of the testimony and evidence, and thoroughly analyzing the relevant case law, Judge Cohen issued Reports and Recommendations. On March 12, 2018, Judge Cohen recommended that Defendant's Motion to Suppress Statements be denied. (Doc. No. 93) Defendant Hoeffener filed objections to the Report and Recommendation on March 26, 2018 (Doc. No. 95); the Government responded on March 30, 2018 (Doc. No. 99). On May 9, 2018, Judge Cohen recommended that Defendant's Motion to Suppress Evidence and Request for a Franks Hearing be denied. (Doc. No. 101) Defendant

Hoeffener filed objections to the Report and Recommendation on June 1, 2018 (Doc. No. 105); the Government responded (Doc. No. 109).

After de novo review of this matter, this Court adopts the Magistrate Judge's recommendations. To the extent there are objections to the Magistrate Judge's factual findings, those objections are overruled. To the extent there is a renewed request for a Franks hearing, that request will also be denied.


Accordingly,

**IT IS HEREBY ORDERED** that the Reports and Recommendations of the United States Magistrate Judge [93, 101] are **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendant's Motion to Suppress Statements, Admissions and Confessions [28] is **DENIED**.

**IT IS FINALLY ORDERED** that Defendant's Motion to Suppress Evidence and Request for a Franks Hearing [29] is **DENIED**.

Dated this 13th day of June, 2018.

  
\_\_\_\_\_  
**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**